08/07/2003

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From: Sanjiv (Sam) Agarwal
Phone: 972-907-1451 or 214-402-3424 (cell)

Ref: Application / Control number: 09/828,195 and associated provisional application number 60/195,347

08/06/2003

Sending:
✓3 Pages of Claims amendmen
✓33 Pages of specifications amendments
✓Copy of Provisional Receipt
✓Copy of letter sent with non-provisio

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Ref: Application / Control number: 09/828,195 and associated provisional application number 60/195,347

This is in response to the action taken by examiner Marky M. Kidd (dated 05/08/2003) rejecting all claims pertaining to this patent application.

Our application claims the priority of provisional application # 60/195,347. This priority was not given to us even though a letter was sent (copy of that letter is attached again with this letter) stating this priority request with our non-provisional application filing. It appears that the letter was just ignored by the USPTO. A copy of that letter is attached here for your reference. **This is important because this proves that we had an earlier filing date (our date would then be 04/10/2000) than Shawn Thomas Segur's application (US 6,212,550 dated 04/2001) – which has been referenced in Marky M. Kidd's "actions" and has been granted a patent. If Segur with a later filing date has been granted a patent, we, with an earlier filing date, should also be granted a patent.**

We do not agree with several of the explanations given by Marky M. Kidd while rejecting our claims. However, amendments in claims and specifications have been made and are being resubmitted for your kind consideration. We have no amendments to figures at this point.

The claims have been reformatted in a logical flow and in one-sentence formats claiming uniqueness in methods used in this invention. Ambiguous terms, such as, "etc." have been removed and redundant use of parenthesis have also been removed.

We also strongly disagree with explanations provided by the patent examiner while rejecting our claim number 3, which pertains to "automatic escalation of delivery of messages". The examiner admits that the other inventors (Fortman) are "silent" on this topic and also cites a different idea of escalation from **Segur (who, as stated above, has a later filing date than ours)**. While Segur's system does escalation based on urgency in the callers voice or the caller choosing a higher priority, our invention does **automatic** escalation based on **a pre-selected hierarchy of chosen messaging devices.** This is totally different and is NOT obvious contrary to explanation given by the examiner (*ref:* examiner's "DETAILED ACTION" document - page 6). Therefore, 35 U.S.C (103)a as cited by the examiner does not apply here and it appears that the examiner is giving undue credit to other inventors.

Please re-examine our application and you will realize that the invention methods described in the application is indeed unique.

Thank you so very much!

Sanjiv K. Agarwal
Neetu Agarwal
Shivum Agarwal
Neil Agarwal

Cc: M. Diaz, Patent Attorney

FILING RECEIPT

OC000000005193243

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/195,347	04/10/2000		150		4		

Sanjiv (Sam) K Agarwal
1300 Chesterton Drive
Richardson, TX 75080

Date Mailed: 06/22/2000

Receipt is acknowledged of this provisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Sanjiv (Sam) K. Agarwal, Richardson, TX ;
Neetu Agarwal, Richardson, TX ;
Shivum Agarwal, Richardson, TX ;
Neil Agarwal, Richardson, TX ;

Continuing Data as Claimed by Applicant

Foreign Applications

If Required, Foreign Filing License Granted 06/21/2000

Title

Electronic messaging engines

Preliminary Class

Data entry by : TRAN, NHU THUY **Team :** OIPE **Date:** 06/22/2000

US Patent and Trademark Office
Attn: Assistant Commissioner for Patents
US Department of Commerce
Patent and Trademark Office
Washington, D.C. 20231

04/07/2001

REF: APPLICATION FOR PATENT

Dear Sir/Madam:

WE had filed a "**Provisional Patent" (Application number: 60/195,347and Filing Date 04/10/2000).** A copy of the receipt is attached with this letter for your reference.

We are now sending you our non-provisional specifications and drawings. Please process these documents honoring the date when we had filed the provisional patent application (04/10/2000).

Thank you.

Name of Patent: Electronic Messaging Engines

Name and Address of Inventors
Sanjiv (Sam) K. Agarwal
Neetu Agarwal
Shivum K. Agarwal
Neil K. Agarwal

OFFICIAL

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APPLICATION # 09/828,195
SPECIFICATIONS AMENDMENTS

NAME OF THE INVENTION

Electronic Messaging Engines.

INVENTORS NAMES

Sanjiv (Sam) K. Agarwal, Neetu Agarwal, Shivum Agarwal, Neil Agarwal.

Citizenship: U.S.A (all above-mentioned inventors).

Residence: Richardson, TX, USA. (all above mentioned inventors).

REFERENCES CITED

4,996,707	2/1991	O'Malley et al.		
5,031,206	7/1991	Riskin		
5,091,931	2/1992	Milewski		
5,175,760	12/1992	Ohashi et al.	.....	379/88.27
5,278,955	1/1994	Forte et al.		
6,072,862	6/2000	Srinivasan		
5,381,466	1/1995	Shibayama et al.		
5,381,527	1/1995	Inniss et al.		
5,406,557	4/1995	Baudoin		
5,434,910	7/1995	Johnson et al.		
5,550,900	8/1996	Ensor et al.	.....	379/74
5,559,721	9/1996	Ishii	.....	364/514
5,659,599	8/1997	Arumainayagam et al.	.....	379/89
5,675,507	10/1997	Bobo, II	.....	364/514
5,742,905	4/1998	Pepe et al.	.....	455/455

FOREIGN PATENT DOCUMENTS

0157427	9/1993	Japan	.....	379/89
403256426	11/1991	Japan		
03196242	8/1991	Japan	.....	H04L 12/54
98121144	11/1998	European Pat. Off.		
98121145	11/1998	European Pat. Off.		

ABSTRACT and BRIEF DESCRIPTION

This application claims the priority of provisional patent application number 60/195,347. This is a modular, flexible ~~cient~~ and efficient method and system for two-way communication, automatic escalation, and remote command execution. The method comprises a set of "engines" which work independently but in parallel - each handling a certain type of message. One or more of these engines can be replicated for scalability, more reliability and efficiency. Further, the whole system can be replicated to give even more reliability and efficiency. The method enables both – interactive and automatic programmatic ways to send messages in various formats including but not limited to text, graphics, voice, text-to-speech, video, ~~etc.~~ from and to practically anywhere in the world. The method also has facilities to convert message of one type to another, instant messaging and scheduled messaging, single destination or broadcast to multiple destinations (also called group messaging), automatic escalation methods, pre-selected or automatic selection of destination.

20 Claims and 10 Figures.

TECHNICAL FIELD

This invention relates to methods and systems for automation and delivery of multiple types of messages to single and multiple destinations simultaneously and receive synchronous or asynchronous responses to execute commands on various computer systems.

BACKGROUND ART

Electronic messaging to various devices such as telephones, facsimiles (fax) machines, pagers, e-mails are well-known arts. Conversion of messaging into different types is also a well-known art as described in US Patent number **(4,996,707)** and **(5,091,931)**. More and more systems and applications are being designed to be able to send out messages to various electronic devices such as those mentioned above. This invention provides several significant improvements to those prior arts. First of all, automation is a big part of this invention that enables enterprises worldwide to have their applications with messaging capabilities - easily and quickly. Additionally, this system allows a two-way communication using many of the messaging devices as remote-controls to enable the recipients of the messages to actually issue commands to selected computer hosts. Furthermore, unlike other prior arts, this system has an automatic built-in escalation process by which the system automatically attempts to deliver messages to a defined hierarchical list of messaging devices or to broadcast messages to all available messaging devices simultaneously (in case the message is a very important message and the recipient must be contacted expeditiously). This invention implements special modular methods (called "engines" in this invention) which allows scalability, efficiency and reliability for practically any enterprise – big or small – almost anywhere in the world. As new messaging devices come along, this system can easily adapt by adding a new messaging "engine" without needing to modify or adversely affecting any existing messaging "engines". Many other arts require a pre-subscription / pre-registration to be able to receive messages. In this invention, however, it is possible to receive messages without the burden of pre-subscription / pre-registration.

DESCRIPTION OF THE DRAWINGS

Fig 1 – Flow diagram of the invented system. The two-headed arrows show a complete 2-way communication.

(1) Computer / Application System 1 (including but not limited to web browser based - using direct interface (6) to the database (11))

(2) Computer / Application System 2 (including but not limited to web browser based - using direct interface (6) to the database (11))

(3) Computer / Application System *n-m* (including but not limited to web browser based - using a standard API (7) via a Data Transport Engine (5))

(4) Computer / Application System *n* (including but not limited to web browser based - using a standard API (7) via a Data Transport Engine (5)

(5) Data Transport Engine (DTE-1)

(6) Database interface techniques, such as ODBC, JDBC or any other standard database connect methods

(7) Well defined APIs to enable computer/application systems to send and receive data from the database

(8) Database interface techniques, such as ODBC, JDBC or any other standard database connect methods

(9) Enterprises

(10) Enterprise networks

(11) Database

(12) Database interface techniques, such as ODBC or any other standard

(13) Data Transport Engine (DTE-2)

(14) Internet

(15) Cross computer communications protocol such as, but not limited to, Winsock

(16) Data Transport Engine (DTE-2)

(17) Database interface techniques, such as ODBC or any other standard

(18) Database

(19) Messaging engines

(20) Cross computer communications protocol such as, but not limited to, Winsock